

REMARKS

As a result of the foregoing Amendment, claim 1 has been amended to include features illustrated in the drawing. Specifically, claim 1 has been amended to recite the fact that the two roof parts (6, 7) are connected to the automobile body through swivel arms (10, 11) which are located behind the roof parts and below the rear roof part. Also, it has been recited in claim 1 that the rear roof part, when the rear roof part is opened, is lowered into the automobile body for providing space for passing the front roof parts therethrough, so that the rear roof part does not protrude above the closed height of the automobile body.

The claims as set forth in the present application are patentable over the art relied on by the Examiner.

Specifically, as compared to the French reference, the present claims provide the novel feature according to which the two front roof parts are connected to the vehicle body through swivel arms which are located behind the front roof parts and, when the roof is closed, are located below the rear roof part, so that the connection cannot be seen in Fig. 1. This feature is

illustrated in Fig. 1. In the French reference, the connection is located below the front most roof part, so that the visibility to the side is limited, the view from the outside is reduced and the space for the side door is narrowly limited. Especially, when the side windows are lowered, this results in a disadvantageous optical configuration and poor spatial arrangement. The swivel arms of the French reference are located horizontally next to the space for the rear passengers even when the roof is opened and the space for the rear passengers is significantly reduced.

While the reference to Antreich also shows a linkage extending from behind, this does not make possible the sequence according to which first the front most roof part is opened over the roof part located behind it.

The second additional new feature introduced into claim 1 is that the rear roof part is lowered downwardly into the automobile body already when it is being opened in order to release a space for passing the front roof parts therethrough, as illustrated in Figs. 3 and 4. Consequently, the rear roof part does not protrude upwardly beyond its closed height, so that the area of attack for the wind is minimized. This makes it possible to carry out opening


of the roof even at relatively high speeds. For this purpose, both connecting points of the four-point linkage which holds the rear roof part are lowered, with the rear connecting point being lowered further than the front part. This feature is also disclosed in the drawing as originally filed.

As a result of the feature described above, it is not necessary to lift the rear most roof part for opening it, but rather it is lowered during its entire movement from the closed position. In accordance with the French reference, this lowering is only recognizable after the opened front roof parts have been put in place. This results in the lowering of the roof from the beginning which is very fluid and without canting. For closing the rear roof part over the front roof parts, the latter only has to be folded forwardly. A further lowering is not necessary. This accelerates the opening of the roof. With respect to the rejection of claim 9, Applicant respectfully points out that new features discussed above have also been included in claim 9 and, therefore, claim 9 is also patentable over the references.

Reconsideration and allowance of the present application are respectfully requested.

Any additional fees or charges required at this time in connection with this application may be charged to Patent and Trademark Office Deposit Account No. 11-1835.


Respectfully submitted,

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450 Alexandria, VA 22313-1450, on October 17, 2008.

By: 
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